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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

27 JAMES BRADY, SARAH CAVANAGH, and
28 IVA CHIU, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.
DELOITTE & TOUCHE LLP, a limited liability
partnership; and DOES 1-10, inclusive,

Defendants.

Case No. C-08-00177-SI

**DEFENDANT DELOITTE &
TOUCHE LLP'S EX PARTE
APPLICATION FOR
PERMISSION TO FILE
(1) OBJECTIONS TO EVIDENCE,
(2) OPPOSITION TO REQUEST
FOR JUDICIAL NOTICE AND
SUPPLEMENTAL REQUEST
FOR JUDICIAL NOTICE, AND
(3) RESPONSE TO PLAINTIFFS'
OBJECTIONS TO EVIDENCE,
IN RESPONSE TO PLAINTIFFS'
REPLY IN SUPPORT OF ITS
MOTION FOR CLASS
CERTIFICATION**

[N.D. L.R. 7-3(d)]

Date: February 19, 2010
Time: 9:00 a.m.
Dept.: 10
Judge: The Hon. Susan Illston

Complaint filed: February 8, 2008
Trial Date: None Set

1 Pursuant to Northern District Local Rule 7-3(d), Defendant Deloitte & Touche LLP
 2 ("Deloitte") hereby requests permission from the Court to file the following documents to be
 3 considered in conjunction with Deloitte's Opposition to Plaintiffs' Motion for Class Certification:

4 (1) Deloitte's Evidentiary Objections to Plaintiffs' Evidence Submitted In Support Of
 5 Plaintiffs' Reply Re Motion For Class Certification;
 6 (2) Deloitte's Opposition to Plaintiffs' Request For Judicial Notice In Support Of Reply
 7 and Supplemental Request For Judicial Notice In Support Of Defendant's Opposition
 8 To Plaintiffs' Motion For Class Certification; and
 9 (3) Deloitte's Response to Plaintiffs' Evidentiary Objections In Support Of Reply Re
 10 Class Action.

11 Deloitte respectfully requests that the Court accept these supplemental materials, submitted to the
 12 Court to respond to new evidence and arguments raised by Plaintiffs for the first time in their
 13 Reply papers. The above-referenced proposed documents are submitted herewith, and attached
 14 hereto as Exhibits 1, 2 and 3.

15 Dated: February 16, 2010

LINDA E. SHOSTAK
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18 By: /s/ Linda E. Shostak
 19 LINDA E. SHOSTAK

20 Attorneys for Defendant
 21 DELOITTE & TOUCHE LLP